

REMARKS

Initially, Applicants would like to express appreciation to the Examiner for the detailed Final Official Action provided and for the acknowledgment of Applicants' Information Disclosure Statement by return of the Form PTO-1449.

Upon entry of the above amendment, claim 12 will have been amended. Accordingly, claims 1, 3, and 5-14 are currently pending. Applicants respectfully request reconsideration of the outstanding rejections and allowance of claims 1, 3, and 5-14 in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

The Examiner has rejected claims 1-14 under 35 U.S.C. § 112, second paragraph, as failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner has rejected claim 12 as being replete with errors. In response thereto, Applicants have amended claim 12 to place the claim in better form. In particular, claim 12 has been amended to set forth "wherein the inner blade is driven with at least one of the driving frequency, the number of revolutions, and the driving amplitude of the inner blade, at the time of turning on of an on/off switch, that is smaller than the corresponding driving frequency, number of revolutions or driving amplitude in the normal drive mode". Accordingly, in view of the above noted amendments and remarks, claims 1, 3, and 5-14 are believed to fully comply with 35 U.S.C. § 112, second paragraph, and Applicants respectfully request reconsideration and withdrawal of the outstanding rejection under 35 U.S.C. § 112, second paragraph.

Claims 1, and 5-13 have been rejected under 35 U.S.C. § 102(b) as being anticipated by VAN DER BORST et al. (U.S. Patent No. 5,671,535).

However, Applicants note that VAN DER BORST et al. fails to show each and every element recited in the claims. In particular, claim 1 sets forth an electric razor including, inter alia, "a driving portion that drives either or both the inner blade and the outer blade; and a controller that operatively changes the driving portion between a normal drive mode allowing the user to shave the hair, and a cleaning drive mode allowing the user to clean the blades, wherein in the cleaning drive mode, the controller controls at least one of a driving frequency defined by the number of reciprocations of the inner blade per unit time, the number of revolutions per unit time defined by the number of rotations of the inner blade per unit time, and a driving amplitude defined by a distance moved by the inner blade in one reciprocation so that a moving speed is set to be suitable for cleaning the blades".

The VAN DER BORST et al. patent discloses a shaver including elements that control the motor speed. The VAN DER BORST et al. patent discloses that the shaver may operate with different motor speeds for the user's desired combination of shaving performance, shaving comfort, and power consumption (*i.e.*, the P, M, and C settings). Accordingly, each and every one of the motor speeds of the VAN DER BORST device is a shaving speed. VAN DER BORST does not disclose a cleaning speed; nor does VAN DER BORST disclose any cleaning elements nor cleaning operations. The VAN DER BORST et al. patent does not disclose controlling the motor to change between driving in a normal drive mode and a cleaning drive mode. Since the VAN DER BORST device does not include any cleaning elements or cleaning operation, the VAN DER BORST

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device cannot include a cleaning drive mode and the VAN DER BORST device cannot (and is not capable of) change between a normal drive mode and a cleaning drive mode.

Further, the Examiner has taken the position that “Mode P may be called a “normal mode” and mode C may be called a cleaning mode, sine the device is capable of being cleaned in mode C” (Final Official Action, page 4). However, even assuming, arguendo, that the device is capable of being cleaned in mode C, being capable of being cleaned does not comprise a cleaning mode. VAN DER BORST discloses that the speed of the blade can be controlled to create an optimum balance of shaving performance, shaving comfort, and power consumption. See particularly column 1, line 59-63 of VAN DER BORST. Further, VAN DER BORST discloses that mode C is “a position (C) in which the user desires a comparatively low shaving performance and comparatively high shaving comfort”. See column 14, lines 24-27. Thus, position C is a shaving speed and a shaving mode. Therefore, contrary to the Examiner’s assertions, the VAN DER BORST patent fails to disclose any cleaning speed, cleaning elements, or cleaning operation. In fact, VAN DER BORST does not discuss cleaning at all, nor use the terms clean or wash in the specification or claims. Accordingly, contrary to the Examiner’s assertions, the VAN DER BORST patent fails to disclose a cleaning mode.

Further, VAN DER BORST et al. does not disclose any particular driving frequency, number of revolutions per unit time, or blade amplitude. Moreover, the VAN DER BORST et al. patent fails to disclose a controller that controls one of the driving frequency, number of revolutions per unit time, or blade amplitude, so that the blades are driven at a cleaning mode speed. Thus, the VAN DER BORST et al. patent does not show a shaver including, inter alia, “a driving portion that drives either or both the inner

blade and the outer blade; and a controller that operatively changes the driving portion between a normal drive mode allowing the user to shave the hair, and a cleaning drive mode allowing the user to clean the blades, wherein in the cleaning drive mode, the controller controls at least one of a driving frequency defined by the number of reciprocations of the inner blade per unit time, the number of revolutions per unit time defined by the number of rotations of the inner blade per unit time, and a driving amplitude defined by a distance moved by the inner blade in one reciprocation so that a moving speed is set to be suitable for cleaning the blades”, as set forth in claim 1. Since the reference fails to show each and every element of the claimed device, the rejection of claim 1 under 35 U.S.C. § 102(b) over VAN DER BORST et al. is improper and withdrawal thereof is respectfully requested.

Applicants submit that dependent claims 5-13, which are at least patentable due to their dependency from claim 1 for the reasons noted above, recite additional features of the invention and are also separately patentable over the prior art of record based on the additionally recited features.

Claims 3 and 5 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over VAN DER BORST et al.

Applicants note that VAN DER BORST et al. fails to teach or suggest the subject matter claimed, including, inter alia, "a driving portion that drives either or both the inner blade and the outer blade; and a controller that operatively changes the driving portion between a normal drive mode allowing the user to shave the hair, and a cleaning drive mode allowing the user to clean the blades, wherein in the cleaning drive mode, the controller controls at least one of a driving frequency defined by the number of

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reciprocations of the inner blade per unit time, the number of revolutions per unit time defined by the number of rotations of the inner blade per unit time, and a driving amplitude defined by a distance moved by the inner blade in one reciprocation so that a moving speed is set to be suitable for cleaning the blades", as set forth in independent claim 1, as described above. The Examiner has concluded that modifying the VAN DER BORST et al. device to include the claimed blade speed, multiple drive modes, and indicator would have been obvious to one having ordinary skill in the art. However, Applicants submit that nothing in the applied prior art teaches or suggests the claimed combination including the claimed blade speed, multiple drive modes, and indicator. Further, none of the prior art teaches or suggests a controller that changes between a normal drive mode and a cleaning drive mode, and that controls one of a driving frequency, a number of revolutions, and a driving amplitude to set a moving speed for cleaning the blades. Therefore, even if one were led to make the modification asserted by the Examiner, the claimed combination would not result. Accordingly, Applicants submit that a factual basis for the rejection has not been established and thus a prima facie case of obviousness has not been established, and that rejection of claims 3 and 5 under 35 U.S.C. § 103(a) can only result from a review of Applicant's disclosure and the application of impermissible hindsight. Accordingly, the rejection of claims 3 and 5 under 35 U.S.C. § 103(a) over VAN DER BORST et al. is improper for all the above reasons and withdrawal thereof is respectfully requested.

Claim 14 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over VAN DER BORST et al. in view of ORLOFF (U.S. Patent No. 6,460,251).

Applicants note that VAN DER BORST et al. fails to teach or suggest the subject matter claimed, including, inter alia, "a driving portion that drives either or both the inner blade and the outer blade; and a controller that operatively changes the driving portion between a normal drive mode allowing the user to shave the hair, and a cleaning drive mode allowing the user to clean the blades, wherein in the cleaning drive mode, the controller controls at least one of a driving frequency defined by the number of reciprocations of the inner blade per unit time, the number of revolutions per unit time defined by the number of rotations of the inner blade per unit time, and a driving amplitude defined by a distance moved by the inner blade in one reciprocation so that a moving speed is set to be suitable for cleaning the blades", as set forth in independent claim 1, as described above. Further, ORLOFF fails to cure these deficiencies. Moreover, there is nothing in the cited prior art that would lead one of ordinary skill in the art to make the modification suggested by the Examiner in the rejection of claim 14 under 35 U.S.C. § 103(a) over VAN DER BORST et al. in view of ORLOFF. Thus, the only reason to combine the teachings of VAN DER BORST et al. and ORLOFF results from a review of Applicants' disclosure and the application of impermissible hindsight. Even if the teachings of VAN DER BORST et al. and ORLOFF were combined, as suggested by the Examiner, the claimed combination would not result. Accordingly, the rejection of claim 14 under 35 U.S.C. § 103(a) over VAN DER BORST et al. in view of ORLOFF is improper for all the above reasons and withdrawal thereof is respectfully requested.

Claim 3 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over VAN DER BORST et al. in view of DEKKER (EP 652 087).

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Applicants note that VAN DER BORST et al. fails to teach or suggest the subject matter claimed, including, inter alia, "a driving portion that drives either or both the inner blade and the outer blade; and a controller that operatively changes the driving portion between a normal drive mode allowing the user to shave the hair, and a cleaning drive mode allowing the user to clean the blades, wherein in the cleaning drive mode, the controller controls at least one of a driving frequency defined by the number of reciprocations of the inner blade per unit time, the number of revolutions per unit time defined by the number of rotations of the inner blade per unit time, and a driving amplitude defined by a distance moved by the inner blade in one reciprocation so that a moving speed is set to be suitable for cleaning the blades", as set forth in independent claim 1, as described above. Further, DEKKER fails to cure these deficiencies. Moreover, there is nothing in the cited prior art that would lead one of ordinary skill in the art to make the modification suggested by the Examiner in the rejection of claim 3 under 35 U.S.C. § 103(a) over VAN DER BORST et al. in view of DEKKER. Thus, the only reason to combine the teachings of VAN DER BORST et al. and DEKKER results from a review of Applicants' disclosure and the application of impermissible hindsight. Even if the teachings of VAN DER BORST et al. and DEKKER were combined, as suggested by the Examiner, the claimed combination would not result. Accordingly, the rejection of claim 3 under 35 U.S.C. § 103(a) over VAN DER BORST et al. in view of DEKKER is improper for all the above reasons and withdrawal thereof is respectfully requested.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections, and an early indication of the allowance of claims 1, 3, and 5-14.

SUMMARY AND CONCLUSION

In view of the foregoing, it is submitted that the proposed amendment is proper for entry since it merely clarifies the language describing the driving operation of the inner blade, which are issues about which Applicants have already presented arguments and about which the Examiner has presented arguments, and it is also submitted that none of the references of record, considered alone or in any proper combination thereof, anticipate or render obvious Applicants' invention as recited in claims 1, 3, and 5-14. The applied references of record have been discussed and distinguished, while significant claimed features of the present invention have been pointed out.

Accordingly, consideration of the present amendment, reconsideration of the outstanding Final Official Action, and allowance of the present amendment and all of the claims therein are respectfully requested and now believed to be appropriate.

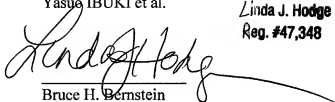
Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so.

Any amendments to the claims which have been made in this amendment, which do not narrow the scope of the claims, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered cosmetic in nature, and to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
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A handwritten signature in cursive script, appearing to read "Linda J. Hodge", written over a horizontal line.

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May 10, 2007
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